

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

COLLARITY, INC.,	)	
	)	
Plaintiff,	)	C.A. No. 11-1103-MPT
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
GOOGLE INC.,	)	
	)	
Defendant.	)	

**STIPULATION AND ORDER TO AMEND DEADLINES**

The parties have agreed to modify certain deadlines relating to potential motions for attorney’s fees under Fed. R. Civ. P. 54. Under Fed. R. Civ. P. 54(d)(2)(B)(i), the prevailing party must make a claim for attorney’s fees “no later than 14 days after the entry of judgment.” The Court issued a Memorandum granting Google’s Motion for Summary Judgment of Invalidity under 35 U.S.C. § 101 on November 25, 2015 (D.I. 135), and issued a related Order granting Google’s motion on the same day. (D.I. 136). If the Order granting Google’s motion constitutes “entry of judgment” for the purposes of Fed. R. Civ. P. 54(d)(2)(B)(i), Google’s motion for attorney’s fees would be due on Wednesday, December 9, 2015. Whether or not the Order granting Google’s motion constitutes “entry of judgment” for the purposes of Fed. R. Civ. P. 54(d)(2)(B)(i), the parties have agreed to move this deadline.

In order to allow sufficient time for discussions exploring potential settlement of this matter, minimize unnecessary expenditures by the parties, and reduce any undue burden on the Court, the parties have agreed (without thereby intending to implicate the merits of such a motion) that any motion for attorney’s fees by Google pursuant to 35 U. S. C. § 285 be due the

same day as Google's bill of costs is due – 14 days after the time to file a notice of appeal expires. Fed. R. App. P. 4(a)(1)(A); D. Del. LR 54.1(a)(1).

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel for Plaintiff Collarity, Inc. and Defendant Google Inc., subject to the approval of the Court, that the parties' deadlines shall be amended as follows:

1. Any motion for attorneys' fees brought by Google pursuant to 35 U. S. C. § 285 will be due on the same day as Google's bill of costs is due, as provided by Fed. R. App. P. 4(a)(1)(A) and D. Del. LR 54.1(a)(1).

DATED: December 9, 2015

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*Attorneys for Defendant Google Inc.*

IT IS SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Chief Magistrate Judge Mary Pat Thyng

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